

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371****10/563267**

INTERNATIONAL APPLICATION NO.

**PCT/DE2004/001221**

INTERNATIONAL FILING DATE

**(12.06.04)****12 June 2004**

PRIORITY DATE CLAIMED:

**(10.07.03)****10 July 2003**

TITLE OF INVENTION

**METHOD AND DEVICE FOR CONTROLLING AN INTERNAL COMBUSTION ENGINE**

APPLICANT(S) FOR DO/EO/US

**MICHALSKE, Andreas; and ZEIN, Thomas**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (unsigned).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☒ A substitute specification and marked-up version of substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: **International Search Report (translated), Written Opinion of the International Searching Authority, and PCT/RO/101.**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER
<b>10/563267</b>		PCT/DE2004/001221		10191/4084
The following fees are submitted:				
21 <input checked="" type="checkbox"/> Basic National Fee .....		\$ 300.00	\$300.00	
22. <input type="checkbox"/> Examination Fee – If International preliminary exam report prepared by USPTO and all claims satisfy provisions of PCT Article 33/(1)-(4).....		\$ 100.00	\$	
<input checked="" type="checkbox"/> Examination Fee - All other situations .....		\$ 200.00	\$200.00	
23. <input type="checkbox"/> Search Fee – Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as ISA .....		\$ 100.00	\$	
<input checked="" type="checkbox"/> International Search Report prepared and provided to the Office.....		\$ 400.00	\$400.00	
<input type="checkbox"/> Search Fee – All other situations .....		\$ 500.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS</b>			<b>\$ 900.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
-100	/50=		x \$250	\$
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).			\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	7 - 20 =	0	x \$50.00	\$ 0.00
Independent Claims	2 - 3 =	0	x \$200.00	\$ 0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$
<b>TOTAL OF ABOVE CALCULATIONS =</b>			<b>\$ 900.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				
<b>SUBTOTAL =</b>			<b>\$ 900.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$	
<b>TOTAL NATIONAL FEE =</b>			<b>\$ 900.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			\$	
<b>TOTAL FEES ENCLOSED =</b>			<b>\$ 900.00</b>	
			Amount to be refunded:	\$
			Amount to be charged	\$ 900.00
<p>a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>11-0600</u> in the amount of \$ <u>900.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>11-0600</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>KENYON &amp; KENYON One Broadway New York, New York 10004 <b>CUSTOMER NO. 26646</b></p> <p style="text-align: right;"> <b>SIGNATURE</b>  <u>Gerard A. Messina (Reg. No. 35,952)</u>  <b>NAME</b>  <u>1/3/06</u>  <b>DATE</b> </p>				